Town of Fayston
Lister's Office
866 North Fayston Road | Fayston VT 05660

2021 Grievance Hearings
Wednesday June 9, 2021
9:00 a.m. - 11:00 a.m. via Zoom

Listers in attendance: Doug Mosle and Sarah Stavraky

7:15 a.m.
07-024 Kolitch, Lauren
Ms. Kolitch asked if the difference between the value of the lot sold and reduction in value of her value is the difference because the new land would be assessed a building lot; the answer is yes.

Ms. Kolitch the asked to review the bulk land prior to and after to sale; Prior to the sale there was 58.43 ac valued at $234,700. After the sale the bulk land was reduced to 48.06 ac at a value of $201,100

Ms. Kolitch then asked the value per acre before and after the sale. Prior to the sale the value of the bulk land per acre was $4016, after the sale the value per acre became $4184.

Ms. Kolitch asked why her land value would not have decreased by the value of 10.37 ac x $4016 (the value per acre before the sale).

Doug explained that the land value schedule is a sliding scale, and that each acre is not worth the same value.

Doug then went on to explain how the CU land removal is valued as a stand-alone parcel, Ms. Kolitch stated that she does not dispute how the CU land was assessed for removal from the program.

Doug asked Lauren to clearly describe what she feels is incorrect with the assessment. Ms. Kolitch stated that she believes her value should be reduced, at a minimum, by the value of the per acre price prior to the sale ($4016) multiplied by the amount of land sold (10.37ac).

Doug thanked her for her time and told Ms. Kolitch that the listers would review the assessment to make sure that no mistakes were made.

7:31 a.m. grievance hearing paused until 9:00 a.m. for start of remaining hearings.

11-060 Corso, Glenn
The appellant requested grievance, but could not attend the zoom hearings so sent in documentation (attached) for consideration.

11:00 a.m.
06-052 Smallholding LLC
Ms. Mauro (appellant) opened the discussion by noting that she wanted to discuss the discrepancy between the fee appraisal she had done to obtain a loan and assessed value of the town. She wonders if the town has appropriated taken into consideration the conservation easement placed by the Vermont Land Trust and OPAV relating to the property.

Bob Hostetter (appraiser) explained how the value of the appraisal was achieved. It was noted that the biggest discrepancy between the fee appraisal and the town appraisal was in the 2AC house site.
Doug explained how listers assess site value.
It was then asked how the easement of having to be a farmer fits in to the town assessment.

Doug explained that the easements and limitations on the property are accounted for by the listers in the grade – neighbors in the area in the 1.5 and up range for grade, Smallholding is assessed at 0.5 grade on the bulk land, and site was assessed at 1.00.

Tyler Miller (Vermont Land Trust) noted that in assessment with OPAV the highest and best use for the entire property is production agriculture.

Doug asked if current use was factored into the appraised value. Mr. Hostetter replied that it is factored in and acknowledged that the difference may not be that far apart because he factors in the Current Use reduction into his appraisal, while the town does not factor the Current Use reduction in the assessed value, that the taxable value is reduced by the Current Use amount.

Ms. Maura asked if it was possible for the same equation to be followed.
Doug stated that the OPAV is not in question by this office and asked to have it clarified if OPAV affects the entire property or only the farmable portion – it was confirmed that it affects the entire property.

Ms. Mauro asked if it seemed the site value was assessed too high?
It was pointed out that the land to the north of barn has view shed easement imposed on it, no building allowed as it might impede the view.

Doug addressed Ms. Mauro's request to have calculations same and easements affect value of property, and the current use – which is a tax reduction program – so that they town and fee appraisal cannot be assessed in the same manner.

Ms. Mauro asked if there could be documentation for each change in her file. Doug explained that there are notes in her file explaining any changes that have been made in the past and that those would remain in place.

2021 Grievance hearings closed at 11:33 a.m.

Results of Grievance

- **07-024** – No change in value. The listers reviewed the lister card to be sure the appellants land was reduced by the correct amount and found that it was accurate. The grade of the bulk land was also reviewed with the town land grade schedule and found that the reduction in value due to the sale of land is accurate based on the grade of the bulk land. In reviewing the grade of the bulk land, it was felt to be fair given that the second house on the parcel has an approved subdivision and also that the value of the bulk land was reviewed and lowered previously at the request of the appellant.

- **11-060** – Value reduced to $235,300. The listers visited the property on 6/11/2021. Site acreage was reduced to 1AC given that road bisects parcel and also given that the letter provided by McCain consulting indicates that remaining 3AC is not developable.

- **06-052** – Value reduced to $459,700. Listers reduced the value of the site acreage to reflect that the entire property is restricted by Vermont Land Trust easements and also taking in to consideration that a portion of the land is in the Current Use program.

Respectfully submitted,

Doug Mosle

Sarah Stavraky

Fayston Listers
June 16, 2021

11-060

Fayston Lister

From:	Glenn Corso <glenncorso@gmail.com>
Sent:	Wednesday, June 09, 2021 1:54 AM
To:	Town of Fayston
Subject:	Parcel 11-060
Attachments:	32010 03-28-12-overview.pdf; img-607162546-0001.pdf; 911-Abutter's-Map.pdf

To whom it may concern,

I am submitting this, my request to grieve my property taxes.
Specifically, my property includes a 1 acre lot with the homestead on the Eastern side of Village road and two (2) 1.5 acre lots on the West side of Village road adjacent to each other. Please reference the included attachments for a clearer visual of these parcels.

In addition, I am submitting a letter from Gunner McCain of McCain Consulting who specializes in environmental evaluations and such matters stating that the land on the West side (3 acres) is all but worthless from the perspective of sale and use for building.

I have carried this property for years and as my taxes have increased $700 in four (2017-2020) years, I have to request a reduction in assessment on that land.

I had the land surveyed and assessed about 10 years ago with an eye for sale as my original idea of building on that land was not within my economic reach any longer. The results of the work done 10 years ago and again confirmed by Gunner a few weeks ago, renders this land usable for nothing other than vacant land given the current and seemingly ever increasing restrictions and laws being put in place by Vermont (towns, counties, and the state).

Recent inquiries to the availability of this land, is what prompted me to revisit this. I was clearly saddened to learn of this situation and my inability to recoup any of my investment in this land.

As to the homestead, it is not rented out and is only used in a limited manner. It is unlikely that anyone who would purchase this land/house today, would opt to keep the house and would likely knock it down to build a newer style mini-mansion as seems to be the trend these days. As such, it is doubtful that I would be able to get the value for which the house is presently assessed. If I were, it is likely to be a short lived window of time that this will be the case, and I am not presently interested in selling it anyway.

I will not be able to attend a virtual meeting as I am myself working in the field with limited to no time to participate. I am not sure what else I could add to this discussion that I have not stated here. I should be able to answer some questions if a call is made to me. I will do my best to keep my phone nearby. The number below is the best to use.

I look forward to a favorable determination in my favor given the circumstances. My family was one of the developers of the original Glen Ellen Ski area back in the 60's. Suffice to say, we didn't make any money on that deal, but we do have this great home

in a fantastic area I always know as the Mad River Valley.

Glenn Corso
516-381-7734
Enjoy the auto correct errors.

W-060

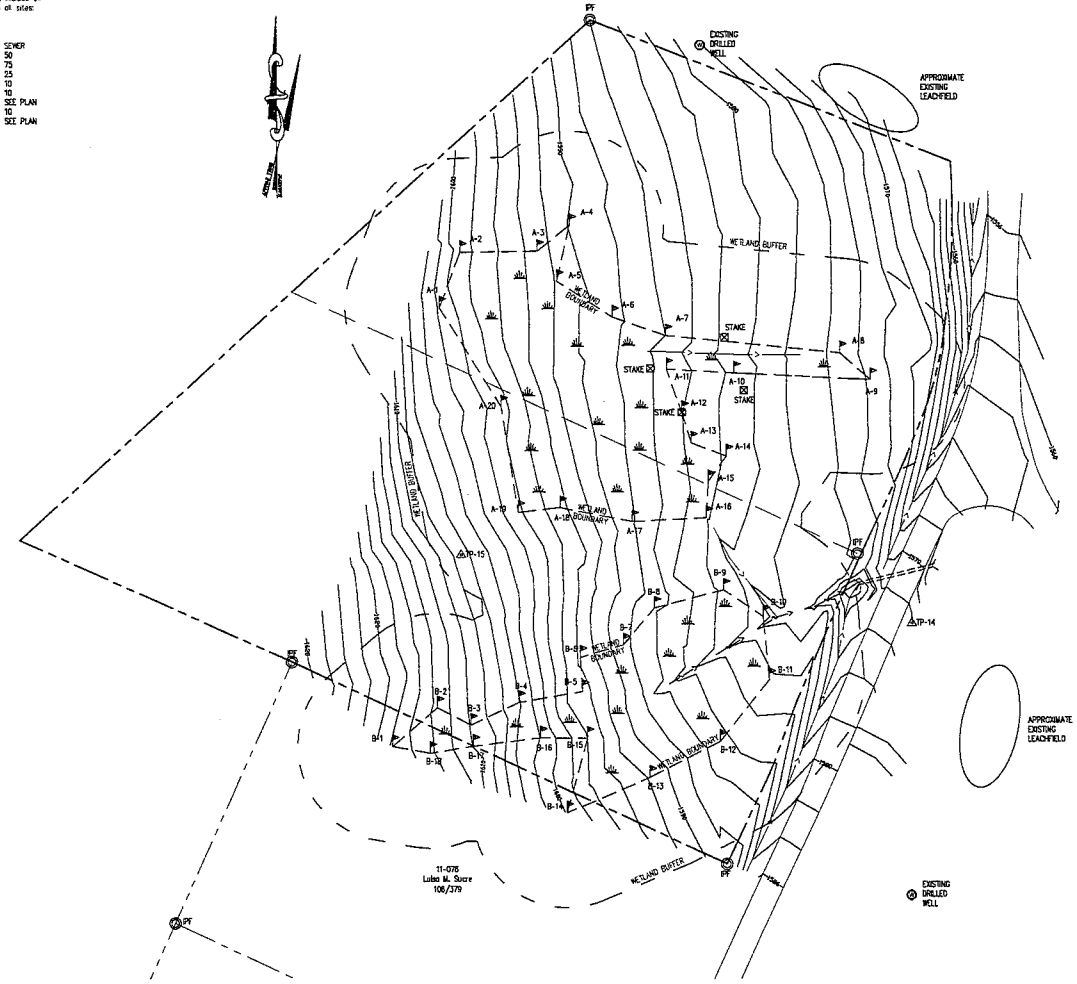
Setbacks:

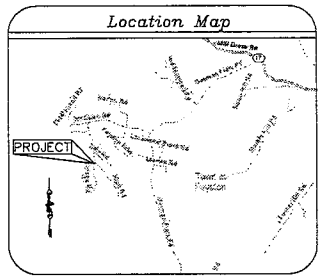
The following are general setback distances that must be met unless otherwise authorized by the permitting authority and/or the consultant. This list does not necessarily include all required setback distances and the listed setback distances may not apply to all sites:

ITEM	LEACHFIELD	SEPTIC TANK	SEWER
DRILLED WELL	SEE PLAN	50	50
SPRING	SEE PLAN	75	75
LAKES, PONDS, IMPOUNDMENTS	50	25	25
RIVERS, STREAMS	50	25	10
PROPERTY LINE	25	10	10
ROADWAY, DRIVEWAY, PARKING LOTS	10	5	SEE PLAN
TREES	10	10	10
SERVICE WATER LINE	25	25	SEE PLAN

LEGEND

- TP-1 — Traverse point
- Drilled well
- IPF — Iron pipe found
- Wetland flag
- Stake
- Property line
- Ditch/drainage swale
- Stream
- Wetland boundary
- Wetland buffer





GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

Topography by Total Station
Contour Interval 2'
Approximate USGS Datum.
Based on Hand Held GPS Unit

THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION ACTIVITIES, COMPONENT LOCATIONS, SPECIFICATIONS, AND DETAILS PRIOR TO COMMENCEMENT OF SITE WORK AND SHALL NOTIFY MCCAIN CONSULTING OF ANY ISSUES OR DISCREPANCIES THAT ARISE FROM THAT REVIEW.

THIS IS NOT A SURVEY. THIS PLAN DOES NOT MEET THE REQUIREMENTS OF 27 VSA SEC. 1403 FOR THE FILING OF SURVEY PLATS.

Y:\Cadd\32000's\32010\dwg\32010 03-28-12.dwg

PRELIMINARY
NOT FOR CONSTRUCTION

CONSULTANT:
GUNNER MCCAIN
LD-B #237
CPESC #2848
CESSWI #0177

SITE PLAN

CORSO

SINGLE LOT WASTEWATER DESIGN

VILLAGE ROAD — FAYSTON, VT

SCALE : 1" = 30'
DESIGNED BY: GNM — PROJECT #32010
DRAWN BY: WDB
CHECKED BY: GNM

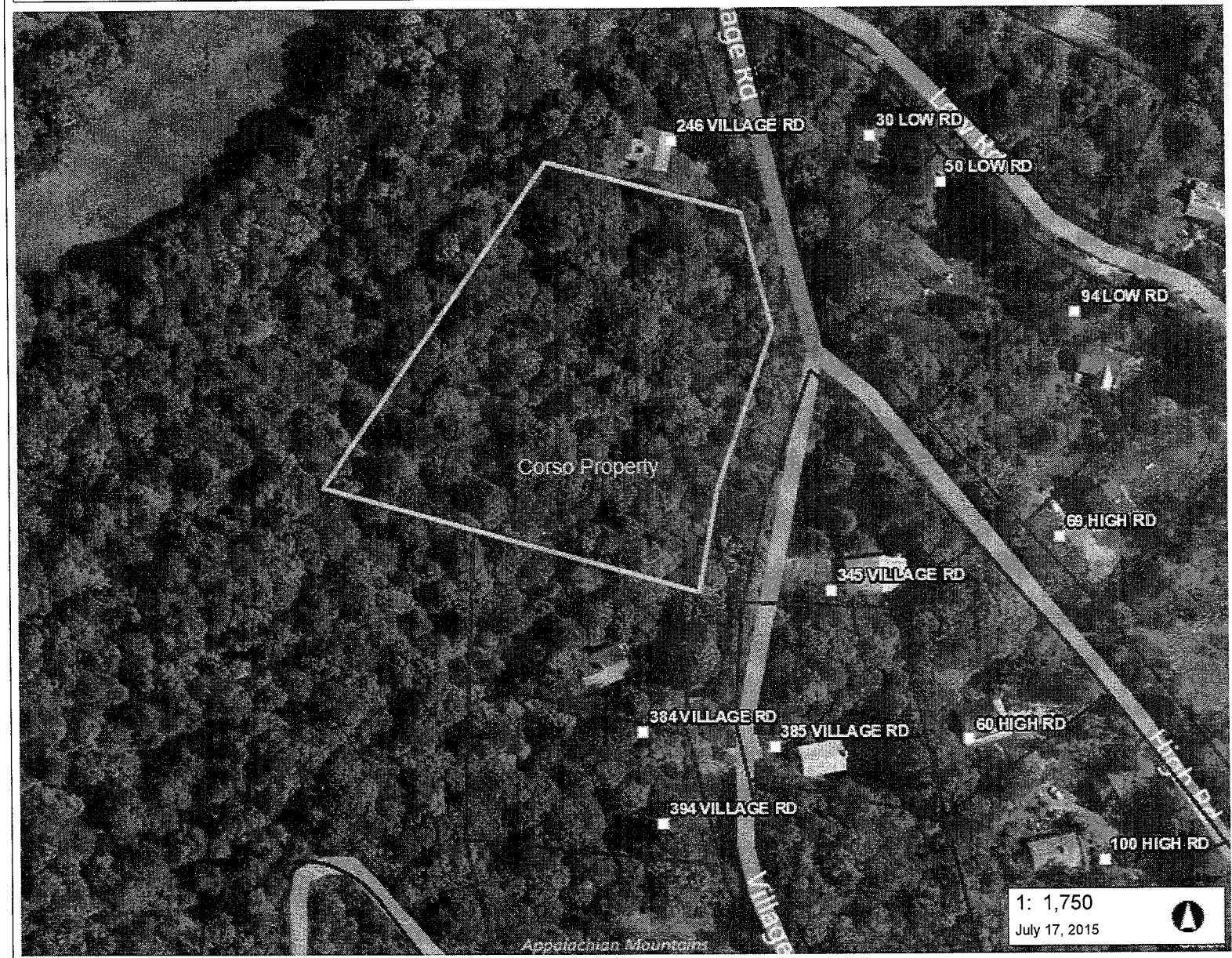
McCAIN CONSULTING, INC.
93 SOUTH MAIN STREET
WATERBURY, VERMONT 05676

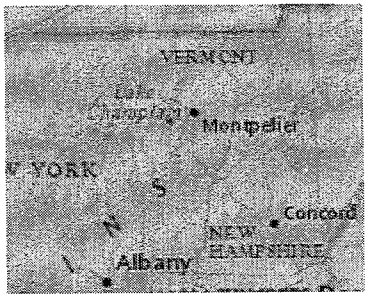
DATE: MARCH 28, 2012 — SHEET 1 OF 1

Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov





LEGEND

- USGS Stream Gages
- Buildings (E911)
- Parcels (where available)

NOTES

Map created using ANR's Natural Resources Atlas

89.0 0 44.00 89.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 146 Ft. 1cm = 18 Meters

© Vermont Agency of Natural Resources

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

11-060

McCAIN CONSULTING, INC.

CIVIL ENGINEERING
LAND SURVEYING
LAND USE PLANNING
PERMITTING

June 7, 2021

Glen Corso
41 Brookside Drive
Smithtown, NY 11787

RE: Development potential
Village Road lots, Parcel 11-060, SPAN 222-072-10224
McCain Project #32010

Dear Glen,

McCain Consulting has evaluated your 2 lots on Village Road in Fayston and based on current state and local regulatory requirements, we conclude that the lots are not developable for home sites.

McCain first reviewed the sites in 2012. At that time we delineated wetlands and reviewed the site for potential home locations and other development issues. We re-visited the project in 2015, and conducted test pits in the only area available for a possible leachfield, as the wetlands and buffer consume the majority of the site that is not too steep to be developed. We found a small area of soils that were quite marginal, but did have the potential to meet the standard necessary to design a "performance based" septic system for a small house. Unfortunately, upon further evaluation of that area we found that the spring on the adjoining lot was in a location and at an elevation that precluded using that area for a leachfield. We also determined that the protection zone for the shallow water supply serving your home across the road overshadowed that area, so if we could have designed a system there it would have required abandoning the shallow spring in favor of a drilled well.

Due to significant changes to Vermont's wastewater system design rules in 2019 and the fact that wetland delineations are only valid for 5 years, we re-visited the site again this year. We confirmed that the wetland delineation has not changed, that the spring on the adjoining lot still exists, and that nothing in the rule revision would allow for a septic system on the site. We found that our previous conclusions stand.

We believe the 2 lots, either individually or combined, do not have the appropriate site conditions to allow for development of a home.

I believe this presents the information we discussed, please feel free to call if you have any questions or need any further information.

Sincerely,

McCain Consulting, Inc.,
Gunner McCain
President